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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/714,304 | 11/14/2003 | Chao-Cheng Chen | TS02-210 | 2110 |
| 42717 7590 02/09/2009 HAYNES AND BOONE, LLP IP Section 2323 Victory Avenue Suite 700 Dallas, TX 75219 | | | EXAMINER ESTRADA, MICHELLE | |
| | | | ART UNIT 2823 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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2/5/09

David O'Dell
HAYNES AND BOONE, LLP
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2323 Victory Avenue
Suite 700
Dallas, TX 75219

In re Application of: :
Chao-Cheng Chen et al. :
Serial No.: 10/714,304 :
Filed: November 14, 2003 :
Attorney Docket No.: TS02-210 :
Title: Dual Damascene Process Flow for Porous Low- :
K Materials :

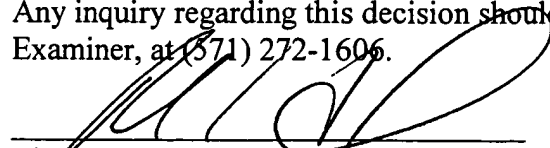
DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT

This is a decision, *sua sponte*, withdrawing the holding of abandonment of the above-identified application.

A Notice of Abandonment action following a decision from the US Board of Patent Appeals was mailed on January 27, 2009 in error. While the Examiner was affirmed by the Board, there remained some claims, notably 2, 3, 9, and 15-50 which were in condition for allowance prior to the decision by the Board and not subject to the appeal. Consequently, as per MPEP §1214.06, the application should have been passed to issue with those claims allowed; and, the claims where the Examiner was affirmed by the Board cancelled via an Examiner's Amendment.

Although no petition or request to withdraw the holding of abandonment in this application has been filed, the Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn in view of the facts as outlined above. Consequently, the application is not abandoned in fact and upon entry of this paper into the image file wrapper and in PALM, a Notice of Allowance to that fact will be forthcoming.

Any inquiry regarding this decision should be directed to Hien H. Phan, Special Program Examiner, at (571) 272-1606.


Richard Seidel, Group Director
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Systems and Components